

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT PETITION NO. 38917 OF 2025 (GM-KLA)

BETWEEN:

SHREYAS P
AGED ABOUT 41 YEARS,
RESIDING AT NO. 57, 6TH CROSS,
SHAKTIGANAPATINAGAR,
BASAVESHWARANAGAR,
BENGALURU - 560 079.

...PETITIONER

(BY SRI. USHA PRAKASH., ADVOCATE)

AND:

1. KARNATAKA UPA LOKAYUKTA,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560001.
2. THE REGISTRAR,
KARNATAKA LOKAYUKTA,
M.S. BUILDING,
BENGALURU - 560001.
3. TAHSILDAR,
MAGADI,
RAMANAGARA DISTRICT 562120.
4. PANCHAYAT DEVELOPMENT OFFICER
KANNUR GRAM PANCHAYAT, KUDUR HOBLI,
MAGADI TALUK,
RAMANAGARA DISTRICT - 561 016.



5. SECRETARY,
KANNUR GRAM PANCHAYAT
KUDUR HOBLI, 561101
MAGADI TALUK
RAMANAGARA DISTRICT.

6. PRESIDENT,
KANNUR GRAM PANCHAYAT,
KUDUR HOBLI, 561101
MAGADI TALUK
RAMANAGARA DISTRICT.

7. VILLAGE ACCOUNTANT
KANNUR GRAM PANCHAYAT,
KUDUR HOBLI, 561101
MAGADI TALUK
RAMANAGARA DISTRICT.

...RESPONDENTS

(BY SRI.M.N.SUDEV HEGDE, AGA FOR R3)

THIS WRIT PETITION IS FILED PRAYING TO a) ISSUE A WRIT OF CERTIORARI QUASHING THE ORDERS DATED 21.10.2024 PASSED IN COMPLIANT No. COM/UPLOK/BD/5502/2023 (ANNEXURE-E) AND DATED 19.11.2025 PASSED IN COMPLAINANT No. COMPT/UPLOK/BD/289/2025 (ANNEXURE-L) b) ISSUE A WRIT OF MANDAMUS DIRECTING THE HONBLE UPALOKAYUKTHA RESPONDENT No. 1 TO RECONSIDER THE PETITIONERS COMPLAINT AFRESH, AND CONDUCT AN INQUIRY IN ACCORDANCE WITH LAW AGAINST ERRING REVENUE AUTHORITIES, AND ETC.

THIS WRIT PETITION HAVING BEEN HEARD AND RESERVED FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT IS DELIVERED/PRONOUNCED AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

CAV JUDGMENT

(PER: HON'BLE MR. JUSTICE T M NADAF)

The complainant before the Karnataka Lokayukta is before us in the present Writ Petition invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, assailing the order dated 21.10.2024 passed in Complaint No.COMP/UPLOK/D/5502/2023 (Annexure-E) and order dated 19.11.2025 passed in Complaint No.COMPT/UPALOK/BD/ 289/2025 (Annexure-L) by the Hon'ble Lokayukta.

2. Under the impugned orders, Hon'ble the Karnataka Lokayukta closed the complaint under Section 8(1)(b) of the Karnataka Lokayukta Act, 1984 ¹and declined to entertain the application to review its order, as there is no power enjoined with the Lokayukta to review its own order.

¹ Act of 1984, for short

3. Brief facts leading to file the present Writ Petition are as under:

3.1 The petitioner claims to have filed an application dated 05.12.2018 before the Kannur Grama Panchayath seeking to change katha in respect of Form house No.90 on Sy.No.98 & 99 at Kannur Village, along with relevant documents annexed with the said application and with requisite fee. However, no orders were passed.

3.2 An application under the provisions of Right to Information Act, came to be filed on 25.08.2023 seeking the status of his application to change the katha and regarding any action taken by the authorities in respect of any other application on the said property. The application was answered by means of intimation issuing vide Letter dated 01.09.2023, revealing that the katha in respect of the property stated supra, had already been changed 11 months prior to the application of the petitioner in respect of one K.N.Jayasankar, as such, the

application filed by the petitioner had not been considered and the katha had been effected on the basis of the Will dated 28.01.2014 in favour of said K.N.Jayasankar.

3.3 Aggrieved by the said intimation in respect of the application filed under RTI, the complainant lodged a complaint making his grievance before the Karnataka Lokayukta that the said K.N.Jayashankar, taking advantage of his position as Ex-Panchayat President and his wife as Ex-Panchayat Member, obtained the katha in their favor.

3.4 Further, it was stated that though the application was stated to be dated 16.12.2017 given by Mr.K.N.Jayasankar, however the date was mentioned as 29.01.2018. The Will upon which the katha came to be effected is a fabricated and created document and Civil and Criminal cases have been registered between the parties and a suit in O.S.No.70/2019 pending before the Senior Civil Judge, Magadi and

sought to take action against the concerned officers named in the complaint.

3.5 The Karnataka Lokayukta, after considering the entire grievance made in the complaint, found that on an application filed by one Mr.K.N.Jayasankar on 16.12.2017, the katha had been affected in his name, whereas, the complainant filed his application on 05.12.2018. As per the acknowledgment/intimation given on the application filed under the RTI dated 01.09.2023, the said officer had stated the facts transpired earlier to the application filed by the petitioner.

3.6 Further, the Karnataka Lokayukta having taken note of the fact that a suit has been filed in O.S.No.70/2019 before the Senior Civil Judge, Magadi, closed the complaint, relegating the petitioner to take action in terms of the provisions of Karnataka Panchayathraj Act as well as provisions of any other Act in respect of the orders passed by the persons named in the complaint, as nothing found

from the complaint to bring the case under dereliction of duty and misconduct, and the complaint is not maintainable under Section 8(1)(b) of the Act of 1984. Accordingly, closed the complaint and issued endorsement to that effect.

3.7 Subsequent to the order passed by the Karnataka Lokayukta, the petitioner filed second RTI application on 29.08.2025 to the Kannur Grama Panchayath seeking a list of documents filed along with the application for change of katha in the name of K.N.Jayashankar. In response to the application, the PDO furnished certified copies of the documents annexed with the application filed by K.N.Jayashankar.

3.8 On the basis of the documents secured, a second complaint came to be filed before the Karnataka Lokayukta. The same came to be closed by the Karnataka Lokayukta by means of an order dated 19.11.2025 stating that, once the case has been closed in respect of the officers, on the earlier

occasion as there is a clear bar under Section 8(1)(b) of the Act of 1984 to investigate the very same grievance again. Further observed that if the petitioner is aggrieved by the order, he may test the same before the appropriate Forum and cannot maintain a review application or subsequent application as the provisions of Act of 1984, do not enjoin the power to review or reconsideration of the same grievance again and again by the Lokayukta. Further, in the event the complainant/petitioner is aggrieved by the order passed by the concerned officers, he may appeal before the appropriate appellate authority. On this, the second complaint filed by the petitioner came to be closed. Assailing these two orders, the complainant is before us in this Writ Petition.

4. Heard, Smt.Usha Prakash, learned counsel appearing for the petitioner/ complainant and Sri.M.N.Sudev Hegde, learned Additional Government Advocate appearing for the State.

5. Smt.Usha Prakash, with all vehemence would firstly, submits that there is no alternative and efficacious remedy as contended by the Lokayukta available to the petitioner. Secondly, the Karnataka Lokayukta has declined to exercise the jurisdiction and power which is enjoined with the institution under the Act of 1984. Further, learned counsel submits that closing of the complaint on two occasions only under Section 8(1)(b) of the Act of 1984 is not available to the Lokayukta as the complaint filed on allegation and not a grievance. As such the availability of alternate remedy will not foreclose the actions contemplated under the provisions of Act of 1984 before the Karnataka Lokayukta.

6. Learned counsel placed reliance on the Judgment of the coordinate Bench of this Court in the case of ***T.N.RAVIPRAKASH VS. STATE OF KARNATAKA AND OTHERS***², to contend that in a similar circumstances, a coordinate Bench of this Court declined to interfere with the order passed by the Karnataka State Administrative

² W.P.No.58401/2017 disposed of on 09.01.2018

Tribunal, which has rejected the application filed by the appellant therein, on the premise that there is a bar under Section 8(1)(b) to proceed further to investigate in the matter, holding that the contents stated in the complaint clearly shows that they are in the form of allegations and not grievance as stated under Section 2(8). In that view of the matter, the application of Section 8(1) have no application.

7. In contrast, Mr.M.N.Sudev Hegde, supported the order passed by the Karnataka Lokayukta and submits that making complaint persistently against the authorities would reflect on their self-confidence and come in the way of discharging the public duty. Further, it is submitted that it seems that the petitioner and the person in whose favor the katha has been effected are relatives and a civil suit is pending in respect of the subject matter i.e., the Will and change of katha. The public authorities cannot be dragged into the battlefield to settle the private and personal scores between the family members. The Courts cannot be made as a battleground for settling the personal scores in

respect of private rights between the family members, which amounts to gross abuse of legal process and the same has been considered by the Lokayukta stating that the grievance made are excluded under Section 8(1)(b) to conduct an investigation in the matter. Accordingly, closed the complaint, relegating the parties to approach appropriate Forum if so advised and the said order is well within the four corners of the law.

8. Learned AGA also submits that if the complaints of this nature are entertained, they would stand in the way of officials discharging public duty and also shatter their self-confidence, though they have acted in terms of law. What is seen from the documents produced is, there was an application filed earlier which has been considered in accordance with law. The petitioner makes another application in respect of the same property, on which an application was filed 11 months prior to the second application which was closed. The action of the petitioner in obtaining the records in 2023, after filing of the suit in the year 2019, clearly shows that the complaints are filed

only to wreck out the vengeance and an arm twisting measure and nothing more than that. The public authorities cannot be deterred by making allegations against them and making them to run around the Court, thereby coming in the way of discharging their public duty, which they owe to the general Public. With this, he sought to dismiss the Writ Petition.

9. We having considered the rival submissions, perused the entire Writ Petition paper. What transpires from the document produced, as rightly contended by Mr.M.N.Sudev Hegde, is that the petitioner wants to take the private dispute between the family as a battle to involve all the public authorities who have discharged their functions in terms of law as contemplated under the particular Acts and Rules. The Karnataka Lokayukta, having considered the entire materials placed with the complaint on two occasions, passed orders that the grievance made out cannot be considered and investigated, in view of express bar under Section 8(1)(b) of the Act of 1984. In that view of the matter, passed

orders closing the complaint on one occasion and on the second, closed the complaint on the ground that already the grievance was answered and the Lokayukta has no power to entertain repeated requests to consider or review its earlier order.

10. We have perused the order passed by the Coordinate Bench. The facts and circumstances involved in the said case are entirely different from the facts and circumstances involved in the present case. The coordinate Bench after referring to the compliant stated that complaint is in the form of allegations. As such, the said Judgment has no application to the facts of the case on hand.

11. The order of the Lokayukta, clearly shows that it is in the form of grievance that the persons named in the complaint acted on a document produced i.e., the Will is allegedly fabricated. The revenue officials as well as the PDO have no authority in view of the settled position of law to deliberate on the title over the property. It is the Civil Court which has got the jurisdiction to decide the civil

rights. As stated above, a suit is pending between the family members, for consideration. The petitioner may take all contentions before the Civil Court in the pending suit.

12. It is trite law that revenue entries are not documents of title and will not create any right in favor of either parties when the same was sought to be challenged before the Civil Court. They are just mere document having presumptive value, which cannot be considered as document of title and right to property. Any order passed by the Revenue Court or the authority in respect of any entries in respect of any property are subject to the declaration of rights by the Civil Court in an appropriate civil proceedings. In that view of the matter, we find no infirmities in the orders passed by the Karnataka Lokayukta, which are impugned in this Writ Petition. The petition sans merits and is accordingly, ***dismissed***. However, no order as to costs.

13. In view of dismissal of the Writ Petition, pending interlocutory applications, if any, stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

TKN